

CHAPTER 10: NEIGHBORHOOD PLANS

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Introduction

Montana state law allows any county ~~and or~~ municipality in Montana to prepare a growth policy, pursuant to 76-1-106(1) M.C.A.. While the growth policy is designed to be a ~~more general and~~ comprehensive policy document, it may contain more site specific neighborhood plans pursuant to 76-1-601(4). Each neighborhood plan must be consistent with the growth policy. Land use decisions guided by a neighborhood plan should reflect the a community's vision of how they intend to grow in the future intent of the community. In the absence of a neighborhood plan, land use decisions ~~will be~~ are guided by the growth policy and existing regulatory documents, as applicable. The intent of this chapter is to provide a general framework to facilitate the preparation, revision and update of neighborhood plans in Flathead County.

Goal

- G.44 A clear majority of ~~the~~ landowners and residents, desiring a neighborhood plan in ~~lands under the county's jurisdiction~~ an areas of the County presently without a neighborhood plan, may have the ability to develop a neighborhood plan.

Comment [a1]: "clear majority" issue addressed by memo/process adopted by Commissioners 01/2010

Policies

- P.44.1 Develop expedited and simplified subdivision and development review processes for lands within ~~an the jurisdiction of an~~ approved growth policy consistent neighborhood plan that has been reviewed for consistency with the growth policy.
- P.44.2 Develop a guide to assist landowners and residents who desire neighborhood plans to develop a plan that implements the character of the neighborhood and fulfills the needs ~~of identified by landowners and residents~~ the community.
- P.44.3 ~~Strive to E~~ Periodically evaluate the effectiveness of adopted neighborhood plans ~~at a minimum of once every 5 years~~, and revise update those plans as necessary accordingly.
- P.44.4 ~~A-Ensure a~~ clear majority of both landowners and acreage represented within the established boundary of a neighborhood plan [described in Step 1 of the neighborhood planning process] ~~should be~~ are in support of a proposed neighborhood plan ~~by following the Steps 1 through 6 of the neighborhood planning process outlined in Chapter 10~~ this chapter. ~~establish~~ Establish Steps 1 through 6 of the neighborhood planning process provides a mechanism by which ~~if a clear majority of the landowners do not support a neighborhood plan~~, the Planning Board can

recommend denial of the plan to the commissioners due to lack of support ~~if it is shown~~ a clear majority of landowners within the planning area boundary do not support the plan. ~~This check and balance mechanism is further protected by Policy 44.5 (P.44.5) allowing landowners recourse if a neighborhood plan is adopted by the Commissioners but deemed undesirable by 40% of the landowners or 50% of the acreage included.~~

Comment [a2]: Redundant – see below

P.44.5 ~~Ensure checks and balances throughout the neighborhood planning process by establishing an option whereby a plan adopted by the County Commissioners may be repealed should written protest be submitted within 90 days following the adoption date by~~ 40% of landowners within the neighborhood plan area whose names appear on the last completed assessment role, ~~or by if~~ landowners representing 50% of ~~the~~ acreage included ~~within the neighborhood plan boundary, sign a protest petition to the neighborhood plan within 90 days after adoption by the county commissioners, the plan shall become null and void.~~

P.44.6 ~~An~~ Establish a Commission-appointed advisory committee ~~for each approved neighborhood plan, comprised of landowners and residents which represents representing~~ diverse elements of the plan area, ~~approved by the county commission comprised of landowners and residents living in the plan area should be established for each approved neighborhood plan.~~

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Goal

G.45 Honor the integrity and purpose of existing neighborhood plans respecting the time ~~and~~ effort, ~~and of the~~ community involvement that has taken place.

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Policies

P.45.1 ~~Previously~~ Ensure previously existing neighborhood plans ~~are to~~ remain in effect until revised by the Flathead County Board of Commissioners, ~~are hereby incorporated by incorporating those existing plans~~ into the Growth Policy as addenda ~~to it and that are~~ deemed consistent with the existing Growth Policy.

P.45.2 Enable the Flathead County Planning Board and the Planning and Zoning Office to periodically review ~~Existing~~ neighborhood plans ~~every five years will be reviewed by the Flathead County Planning Board and Zoning Office to determine whether Flathead the County and the landowners in the neighborhood plan area should update the neighborhood plan. This review may be part of the statutorily required 5 year review or may occur sooner.~~

- P.45.3 ~~Initiate a neighborhood plan amendment and/or update when the County Commissioners approve a recommendation by the Flathead County Planning Board that review by If the Flathead County Planning and Zoning Office and the Planning Board determines that~~ a neighborhood plan should be updated, ~~and the following approval by, then the planning staff may, at the request of the Flathead County Commissioners, or majority of the Planning Board, initiate an amendment to the neighborhood plan.~~
- P.45.4 ~~Simplified~~ Apply expedited simplified subdivision and development review processes, ~~once developed by Flathead County for to existing neighborhood plan areas, will apply to the areas included in the existing neighborhood plans.~~

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PART 1: Neighborhood Plans in General (See Goals 44 and 45).

The Flathead County Growth Policy contains existing characteristics, projected trends, goals and policies for county wide issues. Neighborhood plans provide more detailed information regarding land uses, policies and issues relevant to that specific neighborhood or geographic area. They guide the community from present to future land use through patterns ~~and of~~ development consistent with the vision of the community, goals, policies and maps.

The size of an area contained in a neighborhood plan is dependent on the community interest, character, physical and environmental features, ~~and as well as~~ institutional and regulatory boundaries. The boundaries of a neighborhood plan area may change over time as revisions, annexations or other actions by ~~the cities~~ ~~and or~~ other governmental agencies occur. ~~See Refer to~~ Step 1 of the planning process below for more on establishing nNeighborhood pPlan boundaries.

Neighborhood plans may contain a variety of elements that work toward identifying, preserving and protecting local characteristics that define ~~the a~~ community while planning for and accommodating inevitable growth. Neighborhood planning involves citizens, landowners, local stakeholders, community organizations and businesses who work ~~together collaboratively to~~ address ~~ing~~ future land uses and service delivery. Neighborhood plans provide an opportunity to foster a sense of community by identifying current trends and projections for the future ~~of a local area~~. Generally speaking, a neighborhood plan should consider the elements found within the growth policy [pursuant to 76-1-601 M.C.A.], as appropriate and where applicable given the varied size and character of communities in Flathead County. Elements that may be included in a Neighborhood neighborhood Plan plan followare listed below:

- Authorization and background
- Plan area boundaries
- Essential community characteristics
- Community vision

- Existing conditions:
 - ~~Demographics~~ Land uses
 - Population
 - Housing needs
 - ~~Economy~~ Economic conditions
 - ~~Housing Needs~~
 - ~~Current development/land use~~ Local services
 - Public utilities and facilities
 - Natural resources and the environment
 - Transportation
 - Sand and gravel resources
 - Land ownership (~~Public~~ public / ~~Private~~ private)
 - ~~Local and public facilities~~
- Projected trends for the elements listed above
- Issues and opportunities
- Appropriate locations for all types of anticipated growth
- ~~Goals and policies~~
- Land use categories
- Existing and planned future land use map(s)
- Coordination statement
- Implementation strategy
- Monitoring plan (or goals and policies)
- Support information
 - Maps, graphs, charts and tables
 - Other appendices as necessary
- Amendment procedures

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PART 2: The Neighborhood Planning Process (See Goal 44)

The neighborhood planning process outlined below applies to communities pursuing a new neighborhood plan ~~after following the~~ adoption of this growth policy. ~~See~~ Refer to Part 4 of this chapter for more on the review of existing neighborhood plans.

On January 13th, 2010 the Flathead County Commissioners adopted a general policy statement clarifying the process a community should follow when initiating a new neighborhood plan. The policy statement provides guidance to members of the public when requesting County assistance in the development of a new neighborhood plan, to ensure the planning process is followed and encourage a high level of public participation in the planning process itself. The following identifies the steps to be followed to initiate a new neighborhood planning process:

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- 1) Community members approach the Commissioners to request the Planning Offices' assistance informing the community about neighborhood plans, the planning process and what is involved in the creation of a new neighborhood plan.

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- 2) Should the Commissioners approve the request, the Planning Office then provides information to the community through a series of educational meetings/workshops on neighborhood plans and the planning process. Over the course of these meetings planning staff will gauge the level of support for the creation of a new neighborhood plan based on written comments, surveys, verbal feedback and other forms of quantitative information gathering.
- 3) If there is adequate interest in beginning the neighborhood planning process, and the Planning Office has sufficient resources and personnel to devote to the effort, planning staff will approach the Commissioners to request further resources be devoted to assisting the community in developing a neighborhood plan. The Planning Office will develop a work plan specific to the community's request with the support and approval of the Commissioners. The approved work plan will include periodic updates to the Commissioners to ensure transparency in the process, and keep the governing body abreast of any developments as the neighborhood planning effort progresses.
- 4) The neighborhood planning process moves forward following the six steps outlined in this chapter of the Growth Policy.

The ~~six general steps planning process for the~~ creation of a new neighborhood plan consists of six general steps. They include:

- 1) ~~Make reasonable effort to publicly notify all landowners including sending notification to every address notifying them of initial meeting.~~
- 2) 1) Initial neighborhood plan organizational meeting;¹
- 3) 2) Base-lining existing conditions;
- 4) 3) Drafting the community vision, characteristics and goals;
- 5) 4) Preparing the draft plan;
- 6) 5) Plan approval and adoption; and
- 7) 6) Ongoing monitoring the implementation of the plan.

~~Each~~ It is imperative that each step of the process outlined above ~~must be conducted with~~ allow ample opportunity for public input and engagement; ~~this process begins with full notification of the affected residents and landowners.~~ The neighborhood planning process ~~— and public involvement strategy —~~ is summarized ~~in the Overview of Neighborhood Planning Process (by Figure 10.1 found in the following pages).~~ County ~~It is anticipated County~~ planning staff ~~is expected to will~~ work with communities to provide guidance and assistance ~~with~~ throughout the planning process. The success of the planning effort depends on the amount of meaningful public participation.

Organizational meetings (Step 1) are needed to determine community interest in the neighborhood planning process and define the geographic area to be included. ~~A~~ During

¹ A reasonable effort should be made to publicly notify all landowners within a proposed planning area of the initial meeting, including posting notice on the County's online calendar, in the local newspaper(s), in a variety of public places in and around the community, and mailing written notice of the initial meeting to each of the landowners in the proposed planning area using a County-generated mailing list.

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~~these initial meetings a~~ steering committee will be formed, with membership representative of the land ownership within the proposed neighborhood plan area. Community ownership and buy-in of the organizational framework at the front end of the process is especially critical. To be successful, the entire planning process should be inclusive and ~~active-transparent~~ by allowing all residents and ~~the~~ general public the opportunity to participate. ~~Products coming out of the first step should be the Deliverables resulting~~ Results from this initial step should be a clear definition of the neighborhood planning area ~~under consideration as well as an outline of the definition and the~~ organizational approach to be used to generate the plan.

The boundary of the neighborhood plan area should be ~~established set through by the community members a community involvement process during at~~ the initial organizational meetings. ~~Neighborhood p~~Plan areas should be large enough to guide and accommodate multiple types of growth, but small enough to be identified as “neighborhoods”, where residents share common interests, needs and goals. Neighborhood plan areas that are too small will not be able to identify areas appropriate ~~for the wide variety of needed growth types to accommodate necessary growth and a variety of land use types, while~~. ~~N~~neighborhood plan boundaries that are too large are more likely to encompass multiple groups with unique interests and goals ~~and that~~ might have greater difficulty reaching compromise ~~during in~~ the planning process.

“Neighborhoods” should consist of residents who similarly identify with a particular area of Flathead County, and who are most likely to be influenced by future growth in ~~the that~~ area. For example, residents living in Kila are only minimally affected by growth in Marion. Somewhere between the two areas is a boundary ~~separating between~~ those who identify themselves as living “just east of Marion” and “just west of Kila.” That cultural boundary ~~would be the~~ would serve as a logical starting point for ~~creating a establishing the~~ neighborhood plan area boundary for either of these locales. Cultural boundaries may cover a smaller geographic area ~~if with a high population density a high density of people exists~~ (such as “Lakeside”), or may cover a larger area ~~if with a more dispersed population with similar interests is more dispersed~~ (such as “Lower Valley”). Either way, ~~it is only possible to identify such~~ these factors are important to consider when discussing neighborhood plan boundaries with affected community members. the participation of those being identified.

Step 2 of the process involves research and mapping to establish ~~the land use~~ baseline data, or starting point otherwise known as existing conditions. ~~The b~~Baseline data sets the tone of ~~the a~~ plan by establishing current conditions and ~~lays out~~ identifying areas of constraint or special opportunity. Existing land uses and development density patterns (e.g., residential, commercial, industrial, ~~farm lands agricultural~~, forest lands, etc.) need to be identified and mapped, along with as well as public facilities and infrastructure (e.g. streets, utilities, schools, parks, etc.). Any physical, topographical or environmental constraints (e.g., floodplains and high groundwater, steep slopes, geo-hazard areas, wetlands, etc.) should also be identified as part of the baseline process. This may include any limiting resources ~~(e.g., such as~~ groundwater availability, access and/or utility constraints, ~~etc.)~~ which may affect ~~planned~~ land use densities and configuration(s). State,

federal and tribal lands that fall outside the jurisdictional planning authority boundary should be identified and mapped as well. Finally, the baseline data should include acknowledge applicable provisions of the growth policy and any regulations-regulatory documents that must be considered in the development of the-a plan. Once the baseline conditions are-have been established, the planning process begins-to-unfoldcan move forward.

The community's vision and goals are formalized in Step 3 of the neighborhood planning process. The vision is-a statement describing the ideal future for expresses the aspirations and goals of the communityneighborhood, identifying what an 'ideal' future might look like for a neighborhood. It should state how the neighborhood's worthwhile qualities are to be protected while allowing for growth and development. The vision will guide important decisions in the formulation of the plan, so it must be widely agreed upon and supported by members of the community. Community-gGoals should be developed that support the vision, and- Tthese goals should express the community's perspective on issues such as land uses, densitiesdevelopment density, transportation, preservation, affordable housing, implementation and others addressed by the Growth Policy. Each goal will need-require associated policies and action items that will lead to achievement. The-goals-and-policiesCombined, these elements will support the vision and address pressing issues and opportunities as identified by the community.

Step 4 is the finalization of the draft plan utilizing the goals~~-and~~, policies and action items, as applicable. Development guidelines and standards will be addressed. A Neighborhood Plan Map is required to spatially portray planned land uses (See-refer to Part 3 of this Chapter). The specificity included in a neighborhood plan andland use map should interrelate with and clearly reflect the plan's text, goals and policies. The plan should also include an implementation section that includes-establishesd a monitoring process-periodic monitoring to evaluate the plan's performance and identify when there is a need for plan revisions and amendments and updates. Procedures for amending the plan, similar to those in the growth policy, must be included. The final draft of the neighborhood plan document should be submitted to public agencies and service providers for review and comments. After those comments, if any, received have been addressed, the final draft plan should be submitted to the Flathead County Planning Office for formal consideration.² That-As part of the formal review process, consideration will-include written notification of the draft plan's completion and contents status will be mailed to all landowners within the plan boundary area appearing on the most recent tax assessment list informing them of the plan's contents.

The approval and adoption process is **Step 5**. The Planning Board will hold a public workshop or multiple workshops to become familiar with the draft plan and the plan area residents' desires, followed by a public hearing at a later dateduring which time the Planning Board will review the document in its entirety, listen to public comment and make a recommendation on the draft plan to the Flathead County Commissioners. After

² Formal consideration of the plan requires that involves an application and fee – when applicable - be submitted to the Planning and Zoning Office, whereby a file is created and a Planning Board public hearing date is set.

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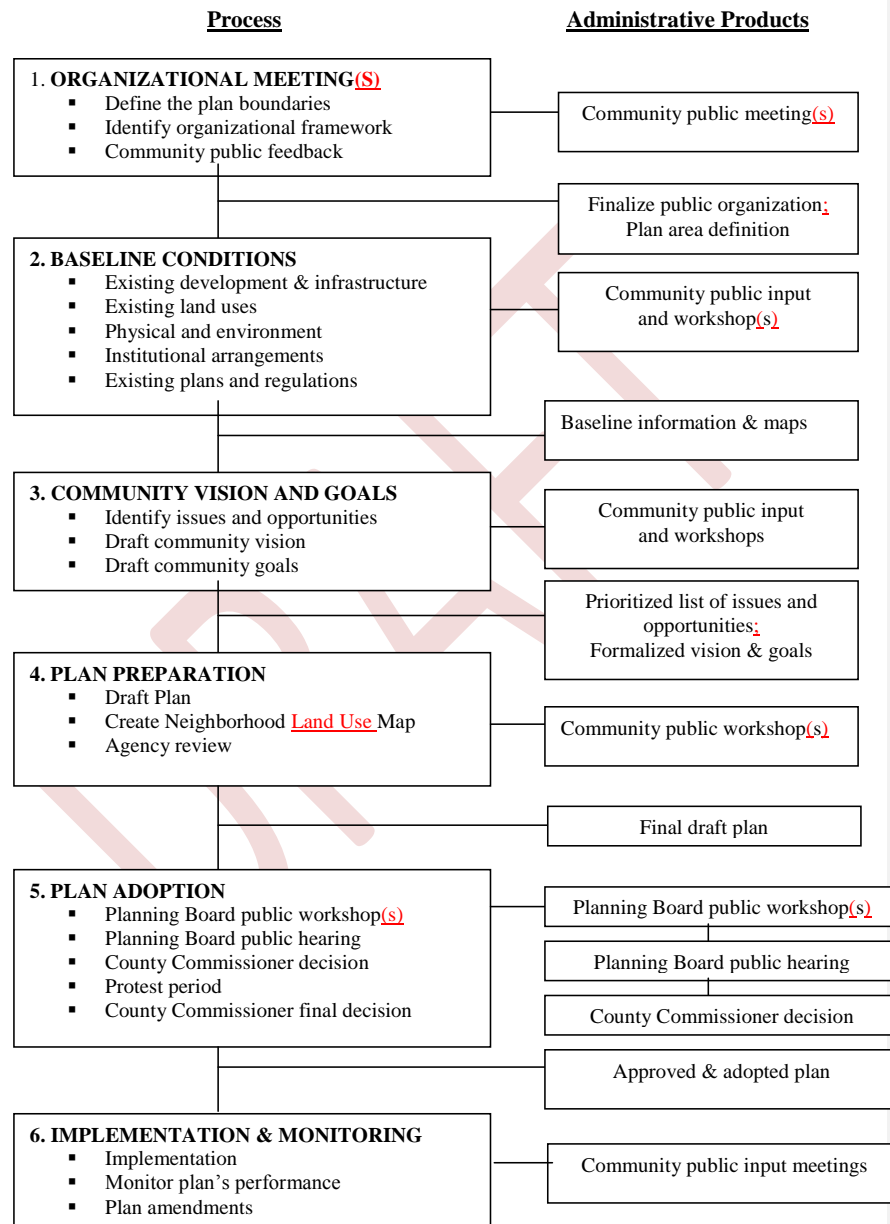
the Planning Board public hearing, the draft plan, with recommendation(s) from the Planning Board, shall be forwarded to the Board of County Commissioners for final consideration. There is typically a public comment period a 30-day public protest period following their action before a final decision is reached. A 30-day public protest period follows the Commissioner's final decision.

Comment [a3]: Cannot find this in M.C.A.... timeline set at Commissioner's discretion?

Comment [b4]: Check MCA for exact time period

The final step, **Step 6**, implements the plan and monitors ~~the~~ it's effectiveness. Periodic adjustments may be made to plan components. Private, Pparcel driven amendments without full consideration of the integrity of the neighborhood plan should be ~~avoided~~discouraged. ~~The, and the~~ plan's amendment process should make this clear. ~~All~~ However, all neighborhood plans (both existing and new) should contain clear and fair ~~processes-procedures~~ for considering a privately initiated amendment. At minimum, ~~a~~Any revisions to the plan ~~- publicly or privately initiated -~~ should ~~at minimum~~ follow the steps outlined in Part 4 of this Chapter.

Figure 10.1
Overview of Neighborhood Planning Process



PART 3: Land Use Categories (See Goal 44)

Neighborhood plans should accommodate growth and guide it toward areas of the community that have been designated as appropriate. In Step 2 of the process outlined in Part 2 of this chapter, the community identifies areas ~~that are both~~ appropriate ~~for growth and other areas that are~~ and inappropriate for growth. Land categories should be used to designate where growth should occur based on this information. Land categories are indicative of where certain land types, uses and densities are appropriate in order to protect public health, safety, morals, convenience, order or general welfare in the process of community development (76-1-106 M.C.A.).

Neighborhood plans might not incorporate every land category contained in this chapter. However, it is intended that neighborhood plans use as many categories as are appropriate to accommodate all facets of growth unique to a planning area. After Step 2 of the process outlined above, the local community should have a better idea of where growth should go based on ~~such things~~ criteria such as appropriate roads, efficient access to county services, commercial needs and environmental constraints. The ~~three-step process below~~ of designating land categories to guide growth toward where it is appropriate areas should be a part of the public process undertaken in conjunction with Step 3 and 4 outlined in Part 2 above. The three-step process will be used to identify combinations of land type (Step A), land use (Step B) and land use intensity (Step C).

Existing plans must similarly accommodate and guide all appropriate types of growth. Existing plans do not have to follow the categorization methods outlined below. See Part 4 of this chapter for more on the review of existing neighborhood plans.

Step A: Designate the general land type.

Neighborhoods should begin by creating a map that designates where the following general land types would be most appropriate. A community must accept ~~that additional people are coming to their neighborhood~~ some level of additional growth as a reality, and collectively decide where ~~the land types below that growth~~ would be most appropriate and best accommodated. Again, not all land types ~~must will~~ be utilized by every plan, but future growth must be accommodated, and will depend on unique circumstances and the existing character of an area. A community should ~~decide choose~~ where certain types of land and the following land types would be most appropriate based on the factors identified in Step 2 of the neighborhood planning process. Land types include:

REMOTE – Remote land is mostly undisturbed from its natural state. There are few roads and access is generally limited. Examples are large wetlands and swamps, forests, mountainsides and meadows. Remote land is generally characterized by very little development of any kind and the intensity of use is very low. Limited industrial activities could be found in areas with appropriate resources (gravel extraction, timber or agricultural processing).

RURAL – Rural Land is pastoral countryside and usually incorporates a variety of agricultural or ~~forestry-silvicultural~~ uses and small to medium sized woodlots. Average density is low and large tracts of land ~~common~~~~predominate~~. Residential subdivisions are unusual. Roads are occasionally gravel. Limited industrial activities could be found in areas with appropriate resources (gravel extraction, timber or agricultural processing).

SEMI-RURAL – Semi-rural Land is still largely pastoral countryside, but it includes more non-agricultural uses and ~~more areas~~~~pockets~~ of higher density. Semi-rural Land has a predominantly rural feel though it has more intense land use and ~~more tracts tend to be~~ medium sized ~~land tracts~~. Residential subdivisions and commercial developments are scattered and in ~~a the~~ distinct minority. Roads are paved. Limited industrial activities could be found in areas with appropriate resources (gravel extraction, timber or agricultural processing).

SUBURBAN – Suburban Land is mostly residential, though it is characterized by large lots (as opposed to tracts) and can have commercial centers that create small community focal points and ~~[serve to reduce traffic]~~. Road ~~densities begin to allow~~ interconnectivity ~~and allows~~ more efficient transportation. Neighborhoods have ~~appropriate existing roads~~~~roadways constructed to handle anticipated volumes of residential traffic, are located~~ relatively ~~convenient~~~~convenient to~~ emergency services, and ~~have~~ appropriate access to water and efficient septic drainfields.

Comment [a5]: Commercial uses tend to increase traffic?

VILLAGE URBAN – Village Urban Land is a combination of high density residential and commercial land uses. The area is usually fairly small and commercial enterprises are typically located on a single street. Industrial uses are typically confined to appropriate areas. This land type would designate a strong desire to see new or improved public facilities such as sewer, water, ~~and~~ curb and gutter ~~as well as~~~~and~~ local services such as fire and ambulance. Neighborhoods have ~~roadways constructed to handle higher volumes of residential and commercial traffic~~~~appropriate existing roads~~, convenient emergency services, and appropriate access to community water and sewer systems.

TOWN URBAN – Town Urban Land is a larger area of high density residential and commercial land uses. There ~~may~~~~can~~ be several streets primarily dedicated to commercial uses. ~~Industrial, with industrial~~ uses ~~are typically~~~~still~~ confined to appropriate areas. This land type would have existing public facilities and services and a strong desire to see those improved and increased. Neighborhoods have ~~roadways constructed to handle the highest volumes of residential and commercial traffic~~~~appropriate existing roads~~, emergency services, curb and gutter, storm water systems and access to public water and sewer systems.

Step B: Assign appropriate uses in each land type.

Begin with each designated land type. Based on future access to facilities and services, existing environmental constraints, future community needs (such as gravel, public lands access, etc.) and the established goals of the community, designate and map land uses within each land type. For example, ~~map~~ intersections or streets with the best visibility and accessibility ~~that should have~~ should be mapped for commercial ~~services~~ land uses, ~~or map~~ while areas near recreation and schools ~~that should be~~ mapped for residential land uses. ~~Plans should focus on the future needs of the community, and determine appropriate areas within the neighborhood plan area to satisfy those needs.~~ Plans should incorporate as many of the uses as is appropriate based on local and county-wide needs outlined in the growth ~~Growth policy~~ Policy. ~~Existing neighborhood plans do not have to follow the categorization methods outlined below. See Part 4 of this chapter for more on the review of existing neighborhood plans.~~ Utilization of PUD density bonuses may be appropriate in all land use categories. Land use types are described as follows:

Comment [a6]: Redundant

Comment [a7]: Also redundant

PUBLIC FACILITIES - 'Public Facilities' designates areas for new or existing public facilities such as parks, public golf courses, government buildings and complexes, schools, hospitals, police and fire stations, and other uses considered public or quasi-public such as libraries, churches and public utilities. Great care should be given when considering the location of these facilities. Future land use and transportation patterns will be influenced by ~~these decisions~~ the location of this type of land use. While various types of public facilities may be appropriate in almost every land type, problems can arise when they are located in close proximity to non-compatible uses.

GOVERNMENT - 'Government' designates lands under state or federal land management agency administration ~~and management control~~. Examples include lands administered by the U.S. Forest Service, U. S. National Park Service, U.S. Corps of Engineers, Montana Department of Fish, Wildlife and Parks ~~and the~~ Montana Department of Natural Resources and Conservation ~~or It should be noted this list is not exhaustive and may contain~~ other state and federal agencies as necessary.

TRIBAL - 'Tribal' includes areas controlled and managed by Native American Indian tribes. These lands may be part of a Reservation or Tribal Trust Land.

Comment [b8]: Check to make sure this is PC

FOREST LAND - 'Forest Land Use' designates privately owned lands that will be primarily used for commercial ~~forest producing products~~ silvicultural activities, with the exception of Christmas tree production (which is considered an agricultural use). This use primarily includes contiguous land ~~in larger than parcels larger than~~ 15 acres ~~parcels~~, that is capable of producing timber ~~that can be harvested~~ for harvest in commercial quantities, and is producing timber unless the trees have been removed through harvest or by natural disaster, including ~~but not limited to~~ fire.

Single family residential clustering and PUD density bonuses ~~may~~ can be appropriate for this category when such development allows for the preservation

of some forest land acreage, providing that such development is located outside of sensitive environmental areas and can meet MT DEQ standards.

AGRICULTURAL LAND – ‘Agricultural Land’ ~~Use~~ designates privately owned lands that will be primarily used for agricultural purposes. This use promotes the continuation of agricultural practices, including, but not limited to, the growing and harvesting of crops, hay and grains as well as livestock production. This category is intended to protect agricultural land from encroachment of intense residential and commercial uses. Animal feedlots, horticultural plantations and nurseries, Christmas tree farms and other agrarian operations are all compatible with this land use designation, as is limited residential.

Single family residential clustering and PUD density bonuses ~~may~~ be appropriate for this category when such development allows for the preservation of some agricultural land acreage, providing that such development is located outside of sensitive environmental areas and can meet MT DEQ standards.

RESIDENTIAL LAND – ‘Residential’ designates lands that will be primarily utilized for ~~residences~~ residential uses and ancillary purposes. Residential clustering and PUD density bonuses ~~can~~ may be appropriate for this category when lots are arranged so as to minimize visual impact or preserve sensitive environmental features. Manufactured housing must be considered and allowed in areas where appropriate. Residential lands should have ~~good~~ adequate access to roads, parks, basic commercial services, local schools and ~~some~~ employment centers ~~if~~ wherever possible.

AGRICULTURAL AND FOREST INDUSTRIAL – ‘Agricultural and Forest Land Industrial’ designates parcels of land in Rural, Semi-~~rural~~ Rural and, in limited instances, Remote land type areas that are suited for a specific and appropriate industrial use. This could include parcels that contain known resources for mineral extraction. It could also include parcels that have existing industrial uses, ~~which are~~ considered appropriate, such as grain and feed operations and processing plants. Normally there would be a density buffer created to preclude problems associated with adjacent incompatible uses.

BUSINESS INDUSTRIAL – ‘Business Industrial’ applies to areas of industrial use and provides general locations for new and existing industrial development, normally in proximity to major transportation facilities and with existing or anticipated access to appropriate water and sewer facilities. The uses should be reviewed for safety and aesthetics when ~~adjoining~~ adjacent to other dissimilar uses or when visually impacting neighborhoods. Examples include, but are not limited to, manufacturing and material processing centers ~~and~~; mineral extractive processing facilities when not in proximity to residential areas; ~~;~~ local and regional product distribution centers, etc.

AGRICULTURAL AND FOREST LAND COMMERCIAL – ‘Agricultural and Forest Land Commercial’ designates parcels of land in Rural and Semi-rural ~~Rural~~ land type areas that are suited for a specific and appropriate low density commercial use. It would include parcels that have existing commercial uses that are considered appropriate to agriculture and forestry uses such as equipment sales and repairs, feed stores, riding arenas, etc.

NEIGHBORHOOD COMMERCIAL – ‘Neighborhood Commercial’ designates areas suitable for low density retail and service commercial uses that ~~primarily~~ serve ~~primarily~~ local patrons and ~~does~~ not include more intensive general commercial uses. “Access to commercial services” mentioned throughout ~~the this~~ growth policy refers to this type of land use. Examples include neighborhood grocery stores, small professional business offices, barber and beauty shops, restaurants, gas stations and other similar neighborhood retail and service uses.

Developments in this land use type should be sized and designed to fit the surrounding neighborhood and community character. Mixed-use ~~commercial-residential uses~~ developments are appropriate when scaled to match the local character (such as 2nd story apartments over small-scale businesses mentioned above). Such areas should be developed as nodes around important intersections or existing focal points and not configured in a “strip” commercial pattern. Any development along a major roadway would be subject to ~~county~~ County guidelines for highway corridors.

GENERAL COMMERCIAL – ‘General Commercial’ designates suitable land for higher intensity retail and service commercial uses that serve ~~the a~~ broader community and tourist economy. These uses include, but are not limited to, shopping centers, banks, restaurants, professional office centers, and other larger retail and service uses. Hotels, motels, campgrounds and RV parks are all generally suitable in this category. Mixed commercial-residential uses where the residential portion is subordinate to the commercial development would also be appropriate. Commercial developments should be configured as centers or nodes and “strip” commercial configurations should be avoided. Only communities with significant daily traffic and population densities should consider this category as appropriate.

Step C: Assign appropriate intensities to individual land uses.

The third and final step is to determine the appropriate intensity of land use and assign a corresponding density. Intensity considerations are primarily for residential and commercial land uses. Appropriate intensities are determined by focusing on elements such ~~things~~ as buffers between incompatible land uses, encouraging a diverse base of residential and commercial lot sizes, and locating higher densities closer to adequate roads, emergency services and ~~available~~ commercial centers adequate to serve them. services. Land intensities are described as follows:

LARGE TRACT – ‘Large Tract’ allows for a maximum of one dwelling unit per forty (40) acres. It intended to control the intrusion of incompatible uses in Remote and Rural land types including, but not limited to, residential development. Clustering or PUD bonuses are available.

MEDIUM TRACT – ‘Medium Tract’ allows for a maximum of one dwelling unit per twenty (20) acres. It intended to control the intrusion of uses in Remote and Rural land types that are not compatible with those environments, including, but not limited to, residential development. Clustering or PUD bonuses are available.

SMALL TRACT – ‘Small Tract’ allows for a maximum of one dwelling unit per ten (10) acres. It intended to control the intrusion of uses in Remote and Rural land types that are not compatible with those environments, including, but not limited to, residential development. Clustering or PUD bonuses are available.

LARGE PARCEL – ‘Large Parcel’ allows a maximum of one dwelling unit per five (5) acres. This land density category is intended to promote low residential densities in suitable areas. The predominant residential lifestyle is detached single-family houses/dwellings, which are either full-time or recreational-seasonal in nature. Multiple-family dwellings are not appropriate in this category.

SMALL PARCEL – ‘Small Parcel’ allows a range of one dwelling unit per one (1) acre to one dwelling unit per five (5) acres. This density category is intended to promote detached single-family residential development at medium densities and promote areas within unincorporated Flathead County that are already developed with similar densities. Multiple-family dwellings are not appropriate in this category.

LARGE LOT – ‘Large Lot’ permits a range of single-family development from on half acre lots to one (1) dwelling unit per acre lots. This category is intended to be in proximity to public services. Multiple-family dwellings are not appropriate in this category. Such as Residential development is intended to be in conjunction with public or community water systems.

SMALL LOT – ‘Small Lot’ permits a range of single-family and multiple-family residential development densities, including duplexes, townhouses/townhomes, and condominiums (apartments), ranging from two (2) to six (6) dwelling units per acre. Such residential development is intended to be in conjunction with public or community water and sewer systems. Mixed commercial and residential uses can may be appropriate when the commercial uses are ancillary to the residences.

HIGH USE – ‘High Use’ permits a range from six (6) dwelling units per acre to eighteen (18) dwelling units per acre. Residential uses within this category include single and multiple-family dwellings including duplexes,

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Comment [a9]: The term ‘condominium’ could refer to pretty much any multi-family dwelling, as it describes an ownership arrangement, not a type of structure.

~~townhouses~~townhomes, ~~econdominiums~~, trailer courts and apartments. Such residential development is intended to be in conjunction with public or community water and sewer systems. Mixed commercial and residential use complexes can be appropriate when the commercial uses are ancillary to the residences.

LIGHT BUSINESS – ‘Light Business’ allows commercial and industrial uses that are limited in size to no greater than 2,500 sq. ft. per establishment and a total of 10,000 sq. ft of total development size. Parking areas are restricted to a maximum of 20 spaces per establishment.

MEDIUM BUSINESS – ‘Medium Business’ allows commercial and industrial uses that are a maximum of 5,000 sq. ft. per establishment and a total of 20,000 sq. ft. of total development size. Parking areas are restricted to 30 spaces per establishment.

HEAVY BUSINESS – ‘Heavy Business’ allows all sizes of commercial and industrial enterprises. There are no restrictions on sizes of parking areas.

PART 4: Existing Plans (See Goal 45)

There are ~~18-19~~ approved neighborhood, local or regional land-use plans within the unincorporated areas of Flathead County. The intent of these plans is to capture the ~~intent~~ and-vision of ~~the~~-local communities and provide more specific guidance for ~~the~~-future development. Some of these plans ~~may beare~~ old outdated and may need revision to reflect the current conditions and ~~future-changing~~ visions ~~for-of~~ the neighborhood areas.

The following is a list of plans that have been previously adopted by Flathead County ~~that-and~~ are hereby incorporated into the ~~growth-Growth policy-Policy~~ as addenda to it, along with the most recent date the plan was adopted by Flathead County.

Table 10.1
Existing Plans and Dates of Most Recent Adoption

Plan	Date most recently adopted/ <u>amended</u>
Ashley Lake	10/29/97 <u>10/14/2011</u>
Bigfork	08/16/93 <u>06/02/2009</u>
Canyon	05/17/ <u>1994</u>
Columbia Fall City-County Master Plan	08/28/ <u>1984</u>
Helena Flats	09/13/ <u>2005</u>
<u>Kalispell City-County Master Plan</u>	02/06/ <u>1986</u>
Labrant-Lindsey Lane	04/07/ <u>1998</u>
<u>Lakeside</u>	11/22/ <u>1995</u>
Little Bitterroot Lake	01/24/ <u>1996</u>
North Fork	09/08/92 <u>06/12/2008</u>
Quarter Circle/LA Ranch	10/26/ <u>2005</u>
<u>Riverdale</u>	<u>02/21/2008</u>

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Comment [a10]: This seems to be the appropriate time to recognize the new Kalispell plan.... Check with BJ re: formal consideration of current plan? What's the deal?

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Comment [a11]: Technically, the Commissioners adopted update on 12/17/2010, legal issues aside.

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Rogers Lake	04/16/ <u>1997</u>
South Woodland/Green Acres	04/02/ <u>1997</u>
The Amended Stillwater Neighborhood Plan	11/05/ <u>2003</u>
Two Rivers	06/28/ <u>2005</u>
West Valley	04/09/ <u>1997</u>
Whitefish Area Trust Lands	06/08/ <u>2005</u>
Whitefish City-County Master Plan	02/06/ <u>1996</u>

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Comment [b12]: Check w/Dave & Wendy re: current City plan – does it include any County?

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These neighborhood, local or regional land-use plans have unique characteristics, community visions, goals and policies. Some of these plans are implemented through a single residential zoning district, such as Ashley Lake or North Fork. Others use a more traditional approach, combining with multiple land use categories to reflect the land use characteristics of a community (such as Bigfork). In order to provide for public participation, the review of the existing plans listed above should follow the process outlined below.

1. **Guidance from Planning Board and Commissioners:** The Flathead County Planning Board and Flathead County Board of ~~County~~ Commissioners will prioritize and guide the review of existing plans in Flathead County. ~~The boards will prioritize review~~ and offer guidance to planning staff accordingly.
2. **Public Workshops:** As the revised draft is being created, interactive workshops will be conducted covering concepts and solutions being considered for incorporation into the plan. Workshops may allow staff, landowners and owners of land within the plan boundaries and their representatives and residents living within the neighborhood plan's boundaries to discuss and refine ideas before they are presented in the revised draft.
3. **Comment on Draft:** After the document is created, a draft version will be released for review and comment. Electronic versions shall be available online and paper versions available at the Flathead County Planning and Zoning Office. The public will have an comment periodadequate amount of time (no less than 30 days) to read and comment on the plan, prior to formal consideration by the Planning Board, as established by the commissioners.
4. **Planning Board Review and Revision:** The Flathead County Planning Board shall hold a public workshop(s) as well as a public hearing on the plan and review and revise the draft plan as the Board deems appropriate.
5. **Final Public Review and Comment:** A final, revised version of the plan will be forwarded to the Flathead County Commissioners for their consideration. After the commissioners pass a resolution of intent to adopt the plan, the public will have an opportunity -comment period- to read and comment on the final, revised plan, the timeline for which shall beas established by the commissionersCommissioners.

Comment [a13]: Commissioners do not have involvement at this level.

PART 5: Neighborhood Plan Implementation and Monitoring

Following the creation and approval of a neighborhood plan, a land use advisory committee should be established. The committee should consist of residents and land owners within the plan area who represent a cross section of the community. The function of the committee is to provide insight and recommendations on land use applications and other planning issues affecting their particular community with input from the public.

The land use committee should facilitate implementation as identified in ~~the each~~ respective neighborhood plan. ~~The implementation is occurs through regulations~~ regulatory documents such as official maps, subdivision, zoning, flood plain and/or lakeshore regulations. The committee should assist planning staff, the Planning Board and the Commissioners in reviewing and commenting on these regulations. Setting up the implementation section of the plan is critical to the success of the on-going planning process. Talk about amendment of existing zoning to comply with amendment of a neighborhood plan... CLARIFY this occurs through 2 separate processes.

The neighborhood plan should be reviewed and evaluated periodically to determine whether it continues to represent the vision and goals of the community. The plan ~~must~~ should be periodically evaluated ~~in no less than five year increments and, if necessary, if needed the plan may undergo a more frequent review~~ updated.

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